

Before Final - Official

Practitioner's Docket No.: 791_181

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Akira MATSUMOTO and Masashi FUKUYAMA

Ser. No.: 10/036,325

Art Unit: 1772

Filed: December 26, 2001

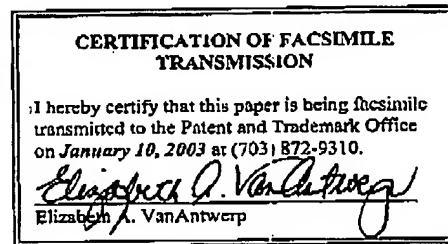
Examiner: Catherine A. Simone

Confirmation No.: 3228

For: **RIBBONED POLARIZATION-MAINTAINING FIBER AND MANUFACTURING METHOD THEREFOR, AND POLARIZATION-MAINTAINING OPTICAL FIBER ARRAY USING THE SAME**

#9

Assistant Commissioner for Patents
Washington, D.C. 20231



RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action mailed December 17, 2002, applicants hereby provisionally elect, with traverse, to prosecute the claims of Group I (claims 1-6 and 20) this application.

However, applicants respectfully traverse the restriction requirement since the subject matter of claims 1 - 20 is sufficiently related that a thorough and complete search for the subject matter of the elected claims would necessarily encompass a thorough and complete search for the subject matter of the non-elected claims. Thus, it is respectfully submitted that search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is clearly stated that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the

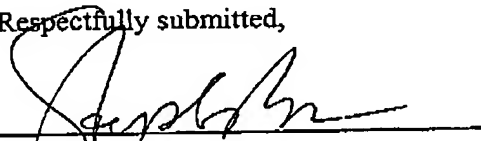
FAX RECEIVED
JAN 13 2003
GROUP 1700

merits." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to applicants and improper duplicative examination by the Patent Office.

If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,


Stephen P. Burr
Reg. No. 32,970

January 10, 2003
Date

SPB/eav

BURR & BROWN
P.O. Box 7068
Syracuse, NY 13261-7068

Customer No.: 25191
Telephone: (315) 233-8300
Facsimile: (315) 233-8320

FAX RECEIVED
JAN 13 2003
GROUP 1700

**BURR
&
BROWN**Telephone: (315) 233-8300
Facsimile: (315) 233-8320

OFFICIAL

Before Final - Official101 South Salina Street
Seventh Floor
Syracuse, NY 13202

Li:

FAX Transmission Sheet

January 10, 2003

To: Examiner Catherine A. Simone Fax No. (703) 872-9310
 From: Stephen P. Burr Fax No. (315) 233-8320
 Re: In re the Application of: Akira MATSUMOTO and Masashi FUKUYAMA
 Serial No.: 10/036,325 Art Unit: 1772
 Date Filed: December 26, 2001 Conf. No. 3228
 Title: RIBBONED POLARIZATION-MAINTAINING FIBER AND MANUFACTURING
 METHOD THEREFOR, AND POLARIZATION-MAINTAINING OPTICAL
 FIBER ARRAY USING THE SAME

Our Docket No.: 791_181

You should receive 3 page(s) including this cover sheet. If you do not receive all pages, please call
 (315) 233-8300.

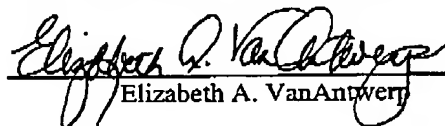
COMMENTS:

I hereby certify that the following paper(s) is/are being facsimile transmitted to Examiner Simone at the
 Patent and Trademark Office on **January 10, 2003** at (703) 872-9310:

	<u>Paper</u>	<u># of Pages</u>
1.	Response to Restriction Requirement	<u>2</u>

Total Pages (including cover page)

3


 Elizabeth A. VanAntwerp

FAX RECEIVED
JAN 13 2003
GROUP 1700

IMPORTANT - THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN
 INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE
 IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY
 NOTIFIED THAT READING, DISSEMINATING, DISTRIBUTING OR COPYING THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED
 THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND DESTROY THE COMMUNICATION. THANK YOU.